

AMENDMENT TO RULES COMMITTEE PRINT 115-**23****OFFERED BY MR. SOTO OF FLORIDA**

At the end of subtitle C of title IX, insert the following:

1 SEC. 9 ____ . DEFENSE DIRECTOR OF DEVELOPMENTAL TEST
2 AND EVALUATION.

3 (a) ESTABLISHMENT OF DIRECTOR OF DEVELOP-
4 MENTAL TEST AND EVALUATION.—Chapter 4 of title 10,
5 United States Code, is amended by inserting after section
6 139 the following new section:

7 “§ 139b. Director of developmental test and evalua-
8 tion

9 “(a) DIRECTOR OF DEVELOPMENTAL TEST AND
10 EVALUATION.—

11 “(1) APPOINTMENT.—There is a Director of
12 Developmental Test and Evaluation, who shall be
13 appointed by the Secretary of Defense from among
14 individuals with an expertise in test and evaluation.

15 “(2) PRINCIPAL ADVISOR FOR DEVELOPMENTAL
16 TEST AND EVALUATION.—The Director shall be the
17 principal advisor to the Secretary of Defense and the
18 Under Secretary of Defense for Acquisition and

1 Sustainment on developmental test and evaluation in
2 the Department of Defense. The Director shall exer-
3 cise management oversight of the resources included
4 in the Defense Research, Development, Test and
5 Evaluation Appropriation for Developmental Test
6 and Evaluation. This Appropriation will include all
7 Program Elements related to Development Test and
8 Evaluation managed at the Office of Secretary of
9 Defense level including those Program Elements
10 managed by the Defense Test Resource Management
11 Center included in section 196 of this title.

12 “(3) SUPERVISION.—The Director shall be sub-
13 ject to the supervision of the Under Secretary of De-
14 fense for Acquisition and Sustainment and shall re-
15 port directly to the Under Secretary, without the
16 interposition of any other supervising official. The
17 Director may communicate views on matters within
18 the responsibility of the Director directly to the
19 Under Secretary without obtaining the approval or
20 concurrence of any other official within the Depart-
21 ment of Defense.

22 “(4) DUTIES.—The Director shall—

23 “(A) develop policies and guidance for—

24 “(i) the conduct of developmental test
25 and evaluation in the military departments

1 and other elements of the Department of
2 Defense (including integration and devel-
3 opmental testing of software);

4 “(ii) in coordination with the Director
5 of Operational Test and Evaluation, the in-
6 tegration of developmental test and evalua-
7 tion with operational test and evaluation;
8 and

9 “(iii) the conduct of developmental
10 test and evaluation conducted jointly by
11 more than one military department or De-
12 fense Agency;

13 “(B) review and approve or disapprove the
14 developmental test and evaluation plan within
15 the test and evaluation master plan for each
16 major defense acquisition program of the De-
17 partment of Defense;

18 “(C) monitor and review the developmental
19 test and evaluation activities of the major de-
20 fense acquisition programs (including the activi-
21 ties of chief developmental testers and lead de-
22 velopmental test evaluation organizations des-
23 ignated in accordance with subsection (b)) in
24 order to advise relevant technical authorities for
25 such programs on the incorporation of best

1 practices for developmental test from across the
2 Department;

3 “(D) provide advocacy, oversight, and
4 guidance to elements of the acquisition work-
5 force responsible for developmental test and
6 evaluation;

7 “(E) periodically review the organizations
8 and capabilities of the military departments
9 with respect to developmental test and evalua-
10 tion and identify needed changes or improve-
11 ments to such organizations and capabilities,
12 and provide input regarding needed changes or
13 improvements for the test and evaluation stra-
14 tegic plan developed in accordance with section
15 196(d) of this title;

16 “(F) in consultation with the Under Sec-
17 retary of Defense for Research and Engineer-
18 ing, assess the technological maturity and inte-
19 gration risk of critical technologies at key
20 stages in the acquisition process; and

21 “(G) perform such other activities relating
22 to the developmental test and evaluation activi-
23 ties of the Department of Defense as the Under
24 Secretary of Defense for Acquisition and
25 Sustainment may prescribe.

1 “(5) ACCESS TO RECORDS.—The Secretary of
2 Defense shall ensure that the Director has access to
3 all records and data of the Department of Defense
4 (including the records and data of each military de-
5 partment and including classified and proprietary in-
6 formation, as appropriate) that the Director con-
7 siders necessary in order to carry out the Director’s
8 duties under this subsection.

9 “(6) CONCURRENT SERVICE AS DIRECTOR OF
10 DEPARTMENT OF DEFENSE TEST RESOURCE MAN-
11 AGEMENT CENTER.—The individual serving as the
12 Director of Developmental Test and Evaluation shall
13 also serve concurrently as the Director of the De-
14 partment of Defense Test Resource Management
15 Center under section 196 of this title.

16 “(7) RESOURCES.—

17 “(A) The President shall include in the
18 budget transmitted to Congress, pursuant to
19 section 1105 of title 31, for each fiscal year, a
20 separate statement of estimated expenditures
21 and proposed appropriations for the fiscal year
22 for the activities of the Director of Develop-
23 mental Test and Evaluation in carrying out the
24 duties and responsibilities of the Director under
25 this section.

1 “(B) The Director of Developmental Test
2 and Evaluation shall have sufficient profes-
3 sional staff of military and civilian personnel to
4 enable the Director to carry out the duties and
5 responsibilities prescribed by law.

6 “(b) SUPPORT OF MDAPS BY CHIEF DEVELOP-
7 MENTAL TESTER AND LEAD DEVELOPMENTAL TEST AND
8 EVALUATION ORGANIZATION.—

9 “(1) SUPPORT.—The Secretary of Defense shall
10 require that each major defense acquisition program
11 be supported by—

12 “(A) a chief developmental tester; and

13 “(B) a governmental test agency, serving
14 as lead developmental test and evaluation orga-
15 nization for the program.

16 “(2) RESPONSIBILITIES OF CHIEF DEVELOP-
17 MENTAL TESTER.—The chief developmental tester
18 for a major defense acquisition program, consistent
19 with policies and guidance issued pursuant to sub-
20 section (a)(4)(A), shall be responsible for—

21 “(A) coordinating the planning, manage-
22 ment, and oversight of all developmental test
23 and evaluation activities for the program;

24 “(B) maintaining insight into contractor
25 activities under the program and overseeing the

1 test and evaluation activities of other partici-
2 pating government activities under the pro-
3 gram; and

4 “(C) helping program managers make
5 technically informed, objective judgments about
6 contractor developmental test and evaluation re-
7 sults under the program.

8 “(3) RESPONSIBILITIES OF LEAD DEVELOP-
9 MENTAL TEST AND EVALUATION ORGANIZATION.—
10 The lead developmental test and evaluation organi-
11 zation for a major defense acquisition program, con-
12 sistent with policies and guidance issued pursuant to
13 subsection (a)(4)(A), shall be responsible for—

14 “(A) providing technical expertise on test-
15 ing and evaluation issues to the chief develop-
16 mental tester for the program;

17 “(B) conducting developmental testing and
18 evaluation activities for the program, as di-
19 rected by the chief developmental tester; and

20 “(C) assisting the chief developmental test-
21 er in providing oversight of contractors under
22 the program and in reaching technically in-
23 formed, objective judgments about contractor
24 developmental test and evaluation results under
25 the program.

1 “(4) TRANSMITTAL OF RECORDS AND DATA.—

2 The chief developmental tester and the lead develop-
3 mental test and evaluation organization for a major
4 defense acquisition program shall promptly transmit
5 to the Director of Developmental Test and Evalua-
6 tion any records or data relating to the program
7 that are requested by the Director, as provided in
8 subsection (a)(5).

9 “(c) ANNUAL REPORTS.—

10 “(1) ANNUAL REPORT BY DIRECTOR OF DEVEL-
11 OPMENTAL TEST AND EVALUATION.—Not later than
12 March 31 of each year, the Director of Develop-
13 mental Test and Evaluation shall submit to the con-
14 gressional defense committees a report on the activi-
15 ties undertaken pursuant to subsection (a) during
16 the preceding year. Each such report shall be sub-
17 mitted concurrently to the Secretary of Defense, the
18 Under Secretary of Defense for Acquisition and
19 Sustainment, and the Congress.

20 “(2) CONTENTS.—Each report submitted under
21 paragraph (1) shall include a section on activities re-
22 lating to the major defense acquisition programs
23 which shall set forth, at a minimum, the following:

24 “(A) A discussion of the extent to which
25 the major defense acquisition programs are ful-

1 filling the objectives of their developmental test
2 and evaluation plans.

3 “(B) A discussion of the waivers of and de-
4 viations from requirements in test and evalua-
5 tion master plans and other testing require-
6 ments that occurred during the preceding year
7 with respect to such programs, any concerns
8 raised by such waivers or deviations, and the
9 actions that have been taken or are planned to
10 be taken to address such concerns.

11 “(C) An assessment of the organization
12 and capabilities of the Department of Defense
13 for development planning and developmental
14 test and evaluation with respect to such pro-
15 grams.

16 “(D) A separate section that covers the ac-
17 tivities of the Department of Defense Test Re-
18 source Management Center (established under
19 section 196 of this title) during the preceding
20 year.

21 “(E) A separate section that addresses the
22 adequacy of the resources available to the Di-
23 rector of Developmental Test and Evaluation
24 and to the lead developmental test and evalua-
25 tion organizations of the military departments

1 to carry out the responsibilities prescribed by
2 this section.

3 “(F) Any comments on such report that
4 the Secretary of Defense considers appropriate.

5 “(d) JOINT GUIDANCE.—The Director of Develop-
6 mental Test and Evaluation shall, in coordination with the
7 official designated by the Secretary of Defense under sec-
8 tion 103 of the Weapon Systems Acquisition Reform Act
9 of 2009 (Public Law 111–23), issue guidance on the fol-
10 lowing:

11 “(1) The development and tracking of detailed
12 measurable performance criteria as part of the devel-
13 opmental test and evaluation plans within the test
14 and evaluation master plans of major defense acqui-
15 sition programs.

16 “(2) The use of developmental test and evalua-
17 tion to measure the achievement of specific perform-
18 ance objectives within a systems engineering master
19 plan.

20 “(3) A system for storing and tracking informa-
21 tion relating to the achievement of the performance
22 criteria and objectives specified pursuant to this sub-
23 section.

24 “(e) MAJOR DEFENSE ACQUISITION PROGRAM DE-
25 FINED.—In this section, the term ‘major defense acquisi-

1 tion program' has the meaning given that term in section
2 2430 of this title.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of such chapter is amended by adding
5 after the item relating to section 139 the following new
6 item:

“139b. Director of developmental test and evaluation.”.

